

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

Notice CRP-337

For: State Offices and Service Centers

Reminder Letter for Tree Thinning

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A

Background

For signups 15 and 16, certain CRP participants agreed to thin existing tree stands or to thin existing tree stands and create and maintain open areas of native herbaceous and/or shrub plantings best suited for wildlife on 15 to 20 percent of the acreage. In doing so, participants received higher environmental benefits index (EBI) points for wildlife habitat cover benefits subfactor N1a.

Tree thinning and creation of open areas must be completed within 3 years of the CRP-1 effective date. C/S assistance is not authorized for the tree thinning or creation of open areas. Participants that make commercial use of the refuse resulting from the tree thinning and creation of open areas must forego the annual rental payment for the affected acreage the year in which the activity is conducted.

Some State Offices and participants have indicated that the tree thinning and creation of open areas may not be completed timely because either the existing trees are not big enough to be commercially viable or vendor services are not available.

Notice CRP-334 provided a letter for distribution to all CRP participants who agreed to thin existing trees or thin existing trees and create and maintain open areas, but have not completed this activity. This letter could have been interpreted to be more restrictive than intended.

Continued on the next page

Disposal Date

September 1, 1999

Distribution

State Offices; State Offices relay to Service Centers, NRCS
State Offices, and State Foresters; FS, 80; CSREES, 5

1 Overview (Continued)

B

Purpose

This notice:

- reiterates that the agreement for tree thinning and creating open areas is based on wildlife habitat concerns and is **not** dependent on the commercial viability of the trees
 - provides a copy of a letter (Exhibit 1) to be mailed to CRP participants who agreed to thin existing trees and create and maintain open areas, but have not completed this activity
 - amends the language in the letter provided in Notice CRP-334 to clarify the tree thinning policy and removal of forest refuse.
-

2 Tree Thinning and Creating Open Areas

A

Wildlife and Wildlife Habitat

Thinning existing tree stands and creating and maintaining open areas are activities to enhance wildlife and wildlife habitat. The commercial viability or size of the trees to be thinned does not release the CRP participants from the obligation to complete the tree thinning and create open areas, if applicable, within 3 years of the CRP-1 effective date.

B

CRP-1 Violation and Termination

Participants who earned EBI points for tree thinning and/or creating open areas, that do not complete the required activity within 3 years of the CRP-1 effective date, will be in violation of CRP-1.

COC's shall terminate CRP-1 if the participant has not thinned the trees and/or created open areas, if applicable, within 3 years of the CRP-1 effective date, unless an act of nature physically prevented this activity from being completed.

Note: Neither the commercial viability of the trees nor availability of vendor services are considered an act of nature.

Important: COC's and STC's are **not** authorized to waive the termination of CRP-1 when the required thinning and/or creation of open areas is not completed within 3 years of the CRP-1 effective date. Only DAFP may waive the termination of CRP-1.

Notice CRP-337

3 Action

A

State Office Action

State Offices shall take action according to the following table.

Step	Action
1	Download the letter (Exhibit 1), which shall be signed by CED. Note: This letter will be posted on BBS, in the “Notices” library, with the file name “CRP_remi.pdf”.
2	Reproduce and distribute the letter to Service Centers with this notice.
3	Provide a copy of this notice and the letter to NRCS State Office and State Forester.

B

Service Center Action

Service Centers shall take action according to the following table.

Step	Action	
1	IF the letter in Notice CRP-334...	THEN...
	has been mailed	ensure that the applicable CRP participants are informed of the clarification. Note: This does not require individual mailings.
	has not been mailed	mail the letter to all applicable CRP participants by March 31, 1999. Note: CED's shall sign the letter.
2	File a copy of the letter in the participant’s CRP folder.	
3	Provide a copy of this notice and the letter to NRCS and FS Field Offices.	

C

Obsolete Material

Notice CRP-334 is obsolete.

Copy of Reminder Letter for Tree Thinning

Dear _____:

You recently enrolled your existing tree stand in the Conservation Reserve Program (CRP). As part of your offer, you agreed, for the benefit of wildlife, to do one or both of the following:

1. To thin the existing trees.
2. To create and maintain 15 to 20 percent openings of native herbaceous and/or shrub plantings best suited for wildlife.

The tree thinning and/or creation of open areas must be completed **within three years of the effective date of the CRP contract**. The tree thinning and creation of open areas will enhance wildlife and wildlife habitat on the site. You may make commercial use of the refuse resulting from this activity. However, you must forego the annual rental payment for the affected acreage the year in which the activity is conducted. Thinning operations and creating open areas must enhance wildlife habitat and reduce the spread of insects and disease.

According to our records, the required tree thinning and/or creation of open areas for your CRP contract number _____ must be completed by _____.

It is a violation of the CRP contract if the trees are not thinned and/or the openings are not completed, if applicable, within three years of the effective date of the CRP contract. If such violation occurs, your CRP contract may be terminated. Refunds of all payments would be required and liquidated damages would be assessed.

The requirement to thin existing trees and/or create openings will **not** be waived, regardless of the commercial viability, size of the trees, or availability of vendor services.

Do not risk termination of your CRP contract by waiting to complete the required tree thinning. I encourage you to contact the Service Center to complete the necessary forms to begin tree thinning and discuss any questions you may have.

Sincerely,